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EXAMINER

BROWN, SHEREE N

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/551,815	Applicant(s) YANG ET AL.	
	Examiner SHEREE N. BROWN	Art Unit 2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-18 and 20--24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-18 and 20--24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/22/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to the amendments filed on 10/2/2008.
2. Claims 1-2, 4-18 and 20-24 are pending and presented for examination. Claims 1, 12, 15, 18 and 20 are amended. Claims 3 and 19 have been canceled. Claims 1, 15, 18 and 20 are independent and the remaining claims are dependent.
3. This case has been made FINAL.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2, 4-18, and 20-24 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,735,572 to Landesmann.

Claim 1:

Landesmann teaches a method for providing local information search results in response to a search request input through a communication network by a searcher utilizing a keyword [“elements in the search criteria, such as high value, consumer goods entities i.e. purchases of luxury cars ...” See Abstract & Column 24, Lines 10-15 wherein “elements in the search criteria” is the same as “keywords”], the method comprising the steps of:

- Receiving a first local information from the searcher comprising at least a location information of the searcher related to the searcher [See Figure 3A, Item 314 & Column 13, Lines 60-67 & Column 14, Lines 1-20 & Column 41, Lines 32-34];
- maintaining the first local information for searching related to the searcher [See Figure 3A, Item 314 & Column 13, Lines 60-67 & Column 14, Lines 1-20];
- receiving a second local information comprising at least a location information of one or more of search items related to a network information provider [See Figure 3A, Item 314 & Column 13, Lines 60-67 & Column 14, Lines 1-20 & Column 41, Lines 32-34];
- maintaining a database including the search items related to a network information provider, wherein some of the search items are related to the keyword of the searcher [(i.e. search criteria) See Figure 3A, Item 320 & Column 20, Lines 7-45];
- receiving the search request from the searcher utilizing both a keyword and the maintained first local information related to the searcher [“elements in the search criteria, such as high value, consumer goods entities i.e. purchases of luxury cars ... ” See Column 5, Lines 42-47 & Column 24, Lines 10-15 wherein “elements in the search criteria” is the same as “keywords”];
- identifying at least more than one search item related to the keyword that matches the search request and selecting the search item related to the second

local information matched to the first local information, among the identified search items [See Figure 3A, Item 320 & Column 20, Lines 7-45], wherein the second local information matched to the first local information comprises both the second local information that is in agreement with the first local information and the second local information that is closely related to the first local information [See Column 20, Lines 5-30];

- and arranging at least a part of the search items according to a predetermined search item arranging method in arranging the selected search items [(i.e. Sequence of item of content" See Figure 6, Item 620 & column 5, Lines 54-65].

Claim 2:

Landesmann teaches wherein the step of arranging at least a part of the search items according to the predetermined search item arranging method comprises the step of arranging the selected search item preferentially [See Figure 6, Item 620 & column 5, Lines 54-65].

Claim 4:

Landesmann teaches wherein the step of arranging at least a part of the search items according to the predetermined search item arranging method, is to preferentially arrange the search item related to the second local information that is in agreement with the first local information and subsequently arrange the search item related to the second local information closely related to the first local information [See Figure 6, Item 620 & column 5, Lines 54-65].

Claim 5:

Landesmann teaches wherein the step of maintaining the first local information for searching related to the searcher comprises the step of storing the first local information as search configuration setting information of the searcher, and the step of receiving the search request from the searcher comprises the step of obtaining the first local information from the stored search configuration setting information [See Figure 3A, Item 314 & Column 13, Lines 60-67 & Column 14, Lines 1-20];

Claim 6:

Landesmann teaches wherein the step of storing the first local information as the search configuration setting information of the searcher and the step of receiving the search request from the searcher comprise a log-in procedure by the searcher [See Column 15, Lines 15-20].

Claim 7:

Landesmann teaches wherein the step of maintaining the first local information for searching related to the searcher comprises the step of storing the first local information, in the form of a cookie file at a searcher's terminal, and the step of receiving the search request from the searcher comprises the step of accessing to the cookie file and obtaining the first local information [See Figure 5, Item 540].

Claim 8:

Landesmann teaches wherein the step of maintaining the first local information for searching related to the searcher comprises the step of installing a client program at a searcher's terminal, and the step of receiving the search request from the searcher comprises the step of receiving the first local information using the client program installed in the searcher's terminal [See Column 30, Lines 20-30].

Claim 9:

Landesmann teaches wherein the step of maintaining the database includes the step of receiving the second local information from the network information provider [See Figure 1, Item 20 & Column 12, Lines 47-67].

Claim 10:

Landesmann teaches wherein the step of maintaining the database includes the step of extracting the second local information from a website of the network information provider [See Figure 1, Item 20, Figure 3A, Item 320 & Column 12, Lines 47-67 & Column 20, Lines 7-45].

Claim 11:

Landesmann teaches wherein the step of maintaining the database includes the step of extracting the second local information from configuration setting information of the network information provider [See Figure 1, Item 20, Figure 3A, Item 320 & Column 12, Lines 47-67 & Column 20, Lines 7-45].

Claim 12:

Landesmann teaches wherein the step of extracting the second local information comprises the steps of:

- maintaining a telephone exchange number and the second local information regarding the telephone exchange number, for a telephone number database [See Column 11, Lines 54-67];
- obtaining information of the telephone exchange number, in which the configuration setting information includes the telephone exchange number of the network information provider [See Column 11, Lines 54-67];
- and identifying the second local information that is in agreement with information of the telephone exchange number of the network information provider with reference to the telephone number database [See Column 11, Lines 54-67].

Claim 13:

Landesmann teaches wherein the predetermined search item arranging [(i.e. Sequence of item of content" See Figure 6, Item 620 & column 5, Lines 54-65] method is one among a keyword banner, knowledge search results, a sponsor link, a category, and a plus site [Column 5, Lines 54-65 & Column 6, Lines 8-18 & Column 19, Lines 50-60].

Claim 14:

Landesmann teaches wherein the step of maintaining the database includes the step of receiving network information from the network information provider to register the network information at a database, and relating the registered network information to a

plurality of the search items [See Figure 1, Item 20 & Column 12, Lines 47-67].

Claim 15:

- Claim 15 is similar to claim 1 and is therefore rejected on the same basis as claim 1.

Claim 16:

Landesmann teaches further comprising the steps of: determining a predetermined advertisement charge for the local advertisement, wherein the advertisement charge is differently determined depending on the local information related to the local advertisement [See Figure 12, Item(s) 1210, 1220 & 1230 and Column 31. Lines 50-67 & Column 32, Lines 5-67 & Column 33, Lines 10-35].

Claim 17:

Landesmann teaches further comprising the steps of: determining a predetermined advertisement charge for the local advertisement, wherein the advertisement charge is determined with consideration of frequency of page view or reference of the selected search item [See Figure 12, Item(s) 1210, 1220 & 1230 and Column 31. Lines 50-67 & Column 32, Lines 5-67 & Column 33, Lines 10-35].

Claim 18:

- Claim 18 is similar to claim 1 and is therefore rejected on the same basis as claim 1.

Claim 18:

Landesmann teaches a method for providing local information search results in response to a search request input through a communication network by a searcher utilizing a keyword ["elements in the search criteria, such as high value, consumer goods entities i.e. purchases of luxury cars ... " See Abstract & Column 24, Lines 10-15 wherein "elements in the search criteria" is the same as "keywords"], the method comprising the steps of:

- Receiving a first local information from the searcher comprising at least a location information of the searcher related to the searcher and storing the received first local information [See Figure 3A, Item 314 & Column 13, Lines 60-67 & Column 14, Lines 1-20 & Column 41, Lines 32-34];
- maintaining the first local information [See Figure 3A, Item 314 & Column 13, Lines 60-67 & Column 14, Lines 1-20];
- maintaining a database including the search items related to a network information provider, wherein some of the search items includes a keyword, and at least one keyword of the plurality of keywords is a local keyword ["elements in the search criteria, such as high value, consumer goods entities i.e. purchases of luxury cars ... " See Abstract & Column 24, Lines 10-15 wherein "elements in the search criteria" is the same as "keywords"] related to a local information of the network information provider [(i.e. search criteria) See Figure 3A, Item 320 & Column 20, Lines 7-45];

- wherein the local keyword is differently selected depending on region with consideration of characteristics of the region [(“geographical regions”) See Column 13, Lines 30-45]
- receiving the search request from the searcher utilizing the keyword [“elements in the search criteria, such as high value, consumer goods entities i.e. purchases of luxury cars ... ” See Column 5, Lines 42-47 & Column 24, Lines 10-15 wherein “elements in the search criteria” is the same as “keywords”];
- identifying one or more search items related to the keyword that matches the search request from the searcher and when the keyword that matches the search request is the local keyword, identifying the search items related to the local keyword [See Figure 3A, Item 320 & Column 20, Lines 7-45], and selecting search items related to the local information of the network information provider matched to the first local information, among the identified search items [See Column 20, Lines 5-30];
- and arranging at least a part of the search items according to a predetermined search item arranging method in arranging the selected search items [(i.e. Sequence of item of content” See Figure 6, Item 620 & column 5, Lines 54-65)].

Claim 20:

- Claim 20 is similar to claim 1 and is therefore rejected on the same basis as claim 1.

Claim 21:

Landesmann teaches a computer-readable recording medium, in which a program for implementing a method according to any of the preceding claims 1 through 19 in a computer, is recorded [See Figure 2, Item 32].

Claim 21:

Landesmann teaches a computer-readable recording medium, in which a program for implementing a method according to any of the preceding claims 1 through 19 in a computer, is recorded [See Figure 2, Item 32].

Claim 22:

Landesmann teaches one of closely related location information, closely related cultural information, closely related social information and closely related environmental information [("geographical regions") See Column 13, Lines 30-45].

Claim 23-24:

Claim 23-23 is rejected on the same basis as claim 21.

Response to Arguments

6. Applicant's arguments filed 10/2/2008 have been fully considered but they are not persuasive.

Applicant Argument #1:

Applicant argued on page 12 of 21, "The presently claimed invention receives a first local information from the searcher, maintains the first local information; and utilizes the maintained first local information in conjunction with a keyword inputted in a

search request to provide search results to the searcher that are specific to the searcher's local information. Nowhere in Landesmann teaches the presently claimed invention as amended above".

Examiner's Response to Argument #1:

Examiner is not persuaded. MPEP § 2106 states Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In *re Morris*, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed Cir. 1997). Examiner submits Landesmann teaching in Figure 3A, Item 314 & Column 13, Lines 60-67 & Column 14, Lines 1-20 & Column 41, Lines 32-34 meets the claim language of "Receiving a first local information from the searcher comprising at least a location information of the searcher related to the searcher". Landesmann goes on to teach in Figure 3A, Item 314 & Column 13, Lines 60-67 & Column 14, Lines 1-20, the claim limitation of "maintaining the first local information for searching related to the searcher". Figure 3A of Landesmann mentioning of "Storage of Buyer Preferences and Buyer Purchasing History in Electronic Database and other Buyer Data" explicitly meets the above claim limitations. Landesmann further teaches "geographical regions", in which teaches applicants limitation of "local information" as mentioned in Column 13, Lines 30-45 of Landesmann. Therefore, examiner maintains the rejection.

Applicant Argument #2:

Applicant argued on pages 13-14 of 21, "Therefore, since the buying entities are information providers and not searchers, the fact that the buying entities of

Landesmann provide information (in the form of credit card statements or the like) cannot teach the claimed receiving and maintaining of first local information related to the searcher of the present invention as suggested by the examiner”.

Examiner's Response to Argument #2:

Examiner is not persuaded. MPEP § 2106 states Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed Cir. 1997). Examiner maintains Landesmann teaching of “elements in the search criteria, such as high value, consumer goods entities i.e. purchases of luxury cars ... ” in Column 24, Lines 10-15 wherein “elements in the search criteria” is the same as “keywords” meets applicant's claim language. Landesmann goes on to teach that the “Buyer Entities” performs the same functions as the searcher. This is explicitly shown in Column 15, Lines 10-25, where the buyer entities perform functions such as “buyer entities enter username and passwords”.

Accordingly, examiner maintains the rejection.

Applicant Argument #3:

Applicant argued on page 15-17 of 21, “With respect to claim 18, the examiner states that claim 18 is similar to claim 1, and therefore is rejected on the same basis as claim 1. However, claim 18 includes -- wherein each search item of the plurality of search items includes a keyword, and at least one keyword of the plurality of keywords is a local keyword related to a local information of the network information provider--. Claim 1 does not include this distinction between a --keyword-- and a --local keyword--.

Therefore a rejection of claim 18 on the same basis as claim 1 does not address each and every limitation of claim 18, and therefore the applicants respectfully submit that the examiner's rejection of claim 18 is improper".

Examiner's Response to Argument #3:

Examiner is not persuaded. Landesmann teaching of ["elements in the search criteria, such as high value, consumer goods entities i.e. purchases of luxury cars ..." in Abstract & Column 24, Lines 10-15 wherein "elements in the search criteria" is the same as "keywords"] meets applicant's claim limitation. MPEP § 2106 states Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In *re Morris*, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed Cir. 1997). In addition, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., differently selected depending on region with consideration of characteristics of the region) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Accordingly, examiner maintains the rejection.

Applicant Argument #4:

Applicant argued on page 18 of 21, "Nowhere in Landesmann teaches extending the search criteria for buyer entities beyond the criteria themselves to include that which is closely related to the inputted search criteria".

Examiner's Response to Argument #4:

Examiner is not persuaded. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., extending the search criteria for buyer entities beyond the criteria themselves to include that which is closely related to the inputted search criteria) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Accordingly, examiner maintains the rejection.

Applicant Argument #5:

Applicant argued on page 20 of 21, "As discussed above, Landesmann does not teach returning results that are "closely related" to a search criteria, rather Landesmann only returns results falling directly within the search criteria".

Examiner's Response to Argument #5:

Examiner is not persuaded. Applicant is rehashing arguments already presented in the previous office action. Nonetheless, the use of "is in agreement" and "closely related" is very broad. Examiner suggests adding language from the specification that is more concrete. Examiner asserts Landesmann teaching of "zip codes in an around New York City and Washington DC" in Column 20, Lines 5-30, is the same as applicant's claim limitation. Accordingly, examiner maintains the rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

7. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheree N. Brown whose telephone number is (571) 272-4229. The examiner can normally be reached on Monday-Friday 7:00 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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